

C O P Y

11-4

June 24, 1955

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Miss Ruth G. Morgan
Deputy Labor Commissioner
Star Building, Pleasant Street
Concord, New Hampshire

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Re: Arnolds Product Co., Inc.
and Bee Bee Shoe Company

Dear Miss Morgan:

On October 4, 1954 I wrote you regarding the above named companies. In answer to your inquiry as to whether Bee Bee could act as surety in guaranteeing Arnold's obligation as a self-insurer, I stated that section 6 of Revised Laws, chapter 275, prohibited a corporation from binding itself as surety or guarantor for another. I overlooked the fact that section 1 of chapter 275 exempts corporations formed under chapter 274 from the provisions of section 6. My prior opinion is therefore in error.

I understand that Arnold Products Company and Bee Bee Shoe Company have since consolidated and that the original problem posed is now moot.

This letter is written so that you will not be misled by the previous opinion in the event that a similar problem arises in the future. If this situation does arise again I will be glad to consult with you.

Very truly yours,

Elmer T. Bourque
Law Assistant

ETB:L